

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

<div>In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> Debtors.¹</div>	<div>PROMESA Title III Case No. 17 BK 3283-LTS (Jointly Administered)</div>
<div>In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO as representative of PUERTO RICO ELECTRIC POWER AUTHORITY, Debtor.</div>	<div>PROMESA Title III Case No. 17 BK 4780-LTS</div>

**UTIER’S PRELIMINARY FACT WITNESS LIST AND EXPERT WITNESS
DISCLOSURES**

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¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

TO THE HONORABLE COURT

COMES NOW Unión de Trabajadores de la Industria Eléctrica y Riego Inc. (“UTIER”) and, through the undersigned attorneys, submit these Disclosures under Federal Rule of Civil Procedure 26(a), as made applicable to this action by Rule 7026 of the Federal Rules of Bankruptcy Procedure and Section 310 of PROMESA, as per the Title III Court’s *Amended and Restated Order Establishing, Among Other Things, Procedures and deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* (“Procedural Order”), Case No. 17-04780-LTS, ECF 3305. UTIER does not waive any rights, privileges, or protections, including but not limited to objections on any grounds to the discovery or use of information disclosed herein, and UTIER expressly reserves all such rights.

UTIER’S PRELIMINARY FACT WITNESS LIST

1. Josué Mitja González, President of UTIER

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Subject of the testimony: Mr. Josué Mitja will discuss the damages that the *Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority*, filed at Case No. 17-04780-LTS, ECF 3296 (“Plan”), will inflict on PREPA’s labor force, PREPA and its stakeholders. Additionally, he will discuss the Trust Agreement of 1974 and the priority of payment for Current Expenses, which include labor costs and pension contributions. Mr. Mitja will also testify on the damages that the rejection of UTIER’s Collective Bargaining Agreement (“CBA”) with PREPA would cause UTIER, its members and PREPA, as well as how those

damages outweigh any potential benefits obtained from the rejection. Moreover, he will testify to the misclassification of UTIER's Master Claim and the CBA Rejection Claims as General Unsecured Claims, as well as the discriminatory treatment of UTIER as a creditor, which affects the fair and equitable standard, and the lack of feasibility of the Plan. *UTIER reserves all rights to amend this information as a result of discovery and/or any subsequent amendment to the Plan of Adjustment or Disclosure Statement for Modified Second Amended Title III Plan of Adjustment of The Puerto Rico Electric Power Authority* filed at Case No. 17-04780-LTS, ECF 3297 ("Disclosure Statement").

UTIER'S OPENING EXPERT WITNESS DISCLOSURE

1. Tom Sanzillo, Director of Finance for the Institute for Energy Economics and Financial Analysis (IEEFA).

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General subject of the testimony: Mr. Tom Sanzillo will focus on the reasonableness of the financial projections; whether it is likely that PREPA will be able to satisfy its obligations under the Plan without the significant probability of default; and the unlikelihood that PREPA will be able to provide future public services at the level necessary for the Commonwealth of Puerto Rico's ("Commonwealth") continued viability. As such, Mr. Sanzillo will provide expert testimony from a financial and economic standpoint supporting the fact that the Plan is not feasible nor in the best interests of PREPA, its Creditors and Stakeholders, or the Commonwealth. His testimony will be focused on the energy and financial condition of PREPA including the energy planning and priorities, debt management, among others, to demonstrate that the Plan will destroy

any probability for PREPA to recover and be sustainable. Mr. Sanzillo will also provide valuable information regarding the lack of operational reforms that are necessary for Puerto Rico's electrical system to become operationally and financially sound enough to comply with the Plan. Furthermore, he will demonstrate that the Plan does not achieve sufficient bondholder debt reduction and risks the feasibility of the Commonwealth's debt service, as well. *UTIER reserves all rights to amend this information as a result of discovery and/or any subsequent amendment to the Plan of Adjustment or Disclosure Statement. Additionally, UTIER reserves the right to amend the scope of Mr. Sanzillo's testimony to include expert rebuttal witness testimony.*



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